

# CLANDESTINE AMERICA



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*"This is the Age of Investigation, and every citizen must investigate." — Ed Sanders*

## PRELIMINARY REPORT: The FBI Files

Two principal points have been made by the press about the FBI's JFK assassination file since the Bureau began releasing 98,000 pages of documents on the case early in December. First, we were told that the files contained no startlingly new evidence which would overturn the findings of the Warren Report. Second, it was reported that the FBI had diligently pursued thousands of leads no matter how wild or elusive. J. Edgar Hoover himself, though convinced at an early stage that Lee Harvey Oswald committed the assassination and acted alone, still maintained reservations about the possibility of a conspiracy. The Bureau kept the assassination an open case, and the newly released files cover a period up to and including December, 1977.

There may be some truth in the media's account. The FBI did serve as the Warren Commission's chief investigating arm, and in many crucial respects the FBI's initial investigation of the assassination and the murder of Oswald by Jack Ruby determined the shape of the Warren Report. We should not, therefore, expect to find much evidence in the FBI files contrary to the lone assassin scenario.

But the contents of the files reveal much about the FBI investigation which bolsters the original charges of the first few generations of Warren Commission critics that the FBI was a principal participant in a massive cover-up. With few exceptions, the matters under investigation by the FBI were precisely those that seemed to lead nowhere. There are, it is true, occasional new pieces of evidence which are tantalizing: a .38 revolver, for example, was discovered in a paper bag "in the immediate vicinity of the assassination site"; the FBI, it seems, was unable to trace this gun, although it had the serial number. In addition, in the file on Jack Ruby (which alone fills 90 looseleaf binders), there is a tremendous amount of new information about Ruby's associates in organized crime and his own ties to the Dallas police. This material is now being carefully studied. In certain other areas which have long been of interest to researchers, there is much new evidence whose exact significance is not yet known. These areas include the post-assassination investigation of David Ferrie in New Orleans and the apparent prediction of the Dallas assassination in early November 1963 by National States' Rights Party member J.A. Milteer in a secretly taped conversation with an undercover law enforcement officer.

In overall terms, the FBI files represent the greatest single expansion in the body of available evidence since the Warren Commission's files were opened to researchers at the National Archives. But the character of the new "evidence" is special in that it bears mostly on three areas: (1) the defects in the FBI's investigation; (2) the conflict between the Bureau and the Warren Commission over nearly every stage in the investigation, including the question of whether Oswald and Ruby

were FBI informants and the extent of the FBI's files on both men prior to the assassination; and (3) on the outright hostility between Hoover and the Warren Commission, Hoover and the Dallas authorities, Hoover and the Secret Service, and Hoover and his own top aides. These are matters which were first broached rather tentatively in the Schweiker-Hart report of June, 1976, which accused the FBI of withholding important information from the Warren Commission and of not investigating directly the possibility that individuals or groups other than Oswald were involved in the assassination. Those charges still stand, despite the nearly unanimous defense of the Warren Report which the establishment press continues to maintain. The release of the FBI files to the public will only fuel the ongoing controversy.

As the Schweiker-Hart report first revealed, Hoover was convinced that the Warren Commission, from the first stage of the investigation, was deliberately criticizing the work of the FBI in an effort to "embarrass the Bureau." The Director's perception of the Warren Commission as an adversary began with the attempt by Chief Justice Earl Warren to name as chief counsel his protege, an attorney named Warren Olney. Through the efforts of Deputy Attorney General Nicholas Katzenbach, who emerges in the documents as the principal

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### Speculation and Rumors

As you will notice, this is the first issue of *Clandestine America* that does not include a "Progress Report" on the House Investigation. The reason for this is quite simple. As far as we are able to discern there has been no progress. We have heard that the committee will issue an interim report in the coming weeks. Our sources caution us not to be optimistic about what this report will say. We have heard that major shake-ups have occurred in the Committee staff. On the one hand, sources indicate that the scope of the investigation has been greatly curtailed, while other reports tell of a continuing investigation in key cities such as New Orleans and Miami.

For the past year the AIB has closely monitored the work of the House Select Committee on Assassinations. In order to continue our efforts in Washington, we need your support. The next issue of this newsletter will feature an in-depth analysis of the recent FBI release, as well as up-to-date coverage of new developments in the House investigation. Please spread the word about the newsletter. Every new subscription helps to alleviate the considerable financial burden that we face. Any and all contributions are greatly appreciated.



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architect of the Johnson Administration cover-up, the appointment of Olney was blocked. But another document reveals how the Chief Justice's move was thwarted from the inside. Gerald Ford, then a Congressman and member of the Commission, invited FBI Assistant Director DeLoach to his office on December 12, 1963. Ford was "disturbed" about the Olney ploy, and mentioned that Allen Dulles, former CIA Director and also a Commission member, had protested to Warren at the first Commission meeting. "On the occasion of their second meeting," DeLoach writes, "Ford and Hale Boggs joined with Dulles. Hale Boggs told Warren flatly that Olney would not be acceptable and that he (Boggs) would not work on the Commission with Olney. Warren put up a stiff argument but a compromise was made when the name of Lee Rankin was mentioned. Warren stated he knew Rankin and could work with him."

Ford became a frequent informant for DeLoach, who used this channel to keep the Bureau informed of the Commission's activities. Some documents indicate that the Bureau actually made active use of Ford in getting across the FBI's point of view to other commission members. One internal memo from the FBI's Intelligence Division states that "the Commission has been very much impressed" by an article in the *New Republic* about the assassination. The article was called "Seeds of Doubt" and was published in December 1963. According to other documents, FBI officials gathered information about the left-wing ties of the authors, Staughton Lynd and Jack Minnis. Here, Hoover himself notes, "I think DeLoach should brief Ford re the *New Republic* article and its authors."

As the Warren Commission began to organize and staff itself, information such as that provided by Ford became more and more useful to Hoover and his aides. The difficulties experienced by the FBI in its dealings with the Warren Commission multiplied. Hoover continued to think that Warren himself was leaking stories to the press which were unfavorable to the FBI. One teletype from Dallas dated March 14, 1964, refers to a *Dallas Times-Herald* story containing information about the suspicious death of a Marine in the Far East in which Oswald was rumored to have been involved. The story quoted "one commission member who asked not to be identified," and Hoover scrawls below, "Sounds like Warren."

Many aspects of the cover-up are still obscure. For example, there is the affair of late January 1964, when Dallas and Texas state law enforcement officials conducting their own inquiries told the Warren Commission that Oswald was an FBI informant. This is the subject of many documents only just released and still being analyzed. But what has emerged most clearly so far is a new picture of the earlier stages of the cover-up—in November and December 1963, during the formation of the Warren Commission and the dissemination of the initial FBI "Summary Report."

The earliest evidence actually comes in a series of memos written by Hoover to his top aides, in most cases less than an hour apart, on the day of the assassination. The Director, in these memos, recounts his conversations with Secret Service Director James Rowley and Attorney General Robert Kennedy. To Rowley, Hoover must have disclosed some of his worst fears, for "Mr. Rowley stated he was also thinking of subversive elements—Mexico and Cuba. I then mentioned the Klan element." To the Attorney General he misleadingly reported that "we have a case on Oswald as he has been involved in the Fair Play for Cuba Committee." Oswald had, of course, defected to the Soviet Union after his discharge from the Marines in 1959 and the Bureau had interviewed him after his return to the U.S. By the end of the afternoon, Hoover was saying to Justice Department officials that Oswald was the "principal suspect" in the case and that "he may very likely be the man."

The person who was most active in mediating between the

### Background on FBI Release

On December 7, 1977, and again on January 18, 1978, the FBI released major portions of its file on the assassination of President Kennedy. The files released were being sought in several Freedom of Information law suits brought against the FBI by Warren Commission critics. The documents contained in these files number some 98,000 pages and are grouped by the FBI into four categories. One pertains to the assassination of President Kennedy, another to the FBI's investigation of Lee Harvey Oswald, a third to the shooting of Oswald by Jack Ruby, and the fourth to the FBI's relationship with the Warren Commission. The files are available to the public in the reading room of the FBI building during weekday business hours. The FBI charges 10¢ per page for copies of documents, bringing the cost of an entire set to nearly \$10,000 dollars.

The release of the documents was touted by the FBI as their last word on the Kennedy assassination. These files supposedly represent everything there is to be revealed. In fact, however, there still remain some 10,000 pages of classified information, including pre-assassination files on Lee Harvey Oswald from FBI field offices, as well as many documents pertaining to the mysterious Mexico trip allegedly taken by Oswald in September of 1963. Also missing is the report of Assistant FBI Director J.H. Gale, who was commissioned by J. Edgar Hoover to analyze "investigative deficiencies of the FBI in the Oswald case." The Schweiker-Hart Subcommittee, which did have access to these files, reports that Gale recommended disciplinary proceedings against several FBI officials. It would be of interest to independent investigators to determine what officials played what roles in relation to Oswald from the time of his defection on.

In addition, the FBI released no inventory sheets on these volumes, making review much more difficult. While most documents were serialized when filed, a substantial number were thrown into the files unrecorded. Without indexes, specific documents are nearly impossible to locate. Documents are filed in a rough chronological order, but with no distinction made as to subject matter, except for those broad classifications mentioned previously. Thus, in the Kennedy Assassination file, one will find a lab report on the paper bag found in the Book Depository between a memo from Hoover on how to deal with the Justice Department and a letter from a woman in Chicago who wants to turn in her son for the crime. The FBI contends that the inventory worksheets that would facilitate wading through the morass of documents contain highly confidential data, and thus will not be available for several more months.

Bureau and the White House, and later between both and the newly-formed Warren Commission, was Katzenbach. A long series of high-level internal memos describes how the Deputy Attorney General, in the days after the assassination, kept Hoover and his aides informed about a variety of delicate issues through his contacts with FBI Assistant Director Courtney Evans, who was close to Katzenbach's boss, Robert Kennedy.

The documents provide a great many details about Katzenbach's role, especially in facilitating the writing of the FBI Summary Report of early December and its transmission to the Warren Commission, urging that the Justice Department simply approve the FBI report and release it to the public. Katzenbach's position in the compromise worked out by

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November 29, when the Warren Commission was created, is not yet entirely clear. But his view, immediately after the assassination, that a cover-up of the assassination was necessary as a matter of policy, has been known since the Schweiker report, which quoted from a November 25 memo now released in its entirety. "The public must be satisfied that Oswald was the assassin," Katzenbach wrote, "that he did not have confederates who are still at large, and that the evidence was such that he would have been convicted at trial." He continued,

Speculation about Oswald's motivation ought to be cut off, and we should have some basis for rebutting the thought that this was a communist conspiracy or (as the Iron Curtain press is saying) a right-wing conspiracy, to blame it on the communists. Unfortunately the facts on Oswald seem about too pat—too obvious (Marxist, Cuba, Russian wife, etc.). The Dallas police have put out statements on the Communist conspiracy theory, and it was they who were in charge when he was shot and thus silenced . . . The matter has been handled thus far with neither dignity nor conviction. Facts have been mixed with rumor and speculation. We can scarcely let the world see us totally in the image of the Dallas police when our president is murdered. I think this objective may be satisfied by making public as soon as possible a complete and thorough FBI report on Oswald and the assassination. This may run into the difficulty of pointing to inconsistencies between this report and statements by Dallas police officials. But the reputation of the Bureau is such that it may do the whole job. The only other step would be the appointment of a presidential commission of unimpeachable personnel to review and examine the evidence and announce its conclusions. This has both advantages and disadvantages. I think it can await publication of the FBI report and public reaction to it both here and abroad.

Over the next few days, the Senate Internal Security Subcommittee began taking an active interest in the investigation, and there were calls for a broader congressional inquiry. For this, among other reasons, the idea of a presidential commission won out sooner than Katzenbach expected, but the politics of the cover-up continued to intensify.

At the urging of some of President Johnson's advisors, a Texas Court of Inquiry was announced on November 25th by State Attorney General Waggoner Carr. Hoover wrote in one memo that Dallas District Attorney Henry Wade was "hopping mad" when he heard of Carr's investigation. Ruby had killed Oswald, eliminating the possibility of a complete investigation. Wade had planned to indict Oswald as part of a communist conspiracy. He did not look forward to any outside investigation into the way in which the Dallas police had handled the case.

By November 26th, federal officials had become concerned about the scope of the Texas Court of Inquiry. Katzenbach told Evans that he "hopes to avoid the state going into the question of motive or trying to resolve the Communist angle." Assistant Attorney General Herbert Miller was in Texas and Katzenbach was using him to coordinate an effort "to have them restrict their hearing to the proposition of showing merely that Oswald killed the President, together with any inquiry the state feels necessary as to the activities of local authorities."

Originally the White House had urged Carr to conduct an investigation. After the formation of the Warren Commission on November 29th, all independent investigative functions were taken out of Carr's hands. Katzenbach informed the FBI of this decision on December 5th and the next day, to placate Carr, he arranged for Carr and his associate, Leon Jaworski, to see Hoover personally in what was described as a "stand-

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## **The Behavior of the Media**

It is an ancient truth that the mass media have a hard time reporting developments in the JFK assassination case, but we have just had new opportunity to observe it again.

The occasion was the FBI's recent release of 98,000 pages of documents on JFK's death, many of which had not previously been seen.

As we list below and explain elsewhere in this number, these documents actually provide an abundance of important new information. There is no smoking pistol, but no one had ever expected such a thing from the FBI, whose JFK cover-up role has already been documented by the Senate in the Schweiker-Hart report of 1976. The real wonder is that the FBI files contain so much.

Yet all the networks and all the big dailies and weeklies spoke in prompt choric unison to report that there was nothing new in these papers, no suggestion of conspiracy, nothing to imply that Oswald fired fewer than all the shots or that Ruby was more than a second lone nut.

This in the teeth of new discoveries showing conclusively:

- That an aggressive cover-up scheme was imposed at the direction of LBJ's White House, which moved in the early hours of the case to secure control of the investigation and to define Oswald as the lone assassin.
- That Jack Ruby was linked to the FBI as a "PCI," i.e., a "potential criminal informant," with strong ties to organized crime as well as to the Dallas Police Department.
- That the FBI took deliberate secret steps to counter the early Warren Commission critics.
- That Hoover thought the FBI misled the Warren Commission.

To its eternal credit, ABC's "Good Morning America" news show gave representatives of the AIB interviews of about five minutes each on December 8 and January 19, the days following the two FBI releases. But except for these two little sniffs, the big media turned their news noses as far away as they could from any scent of a Dallas conspiracy—unless, which was much worse, it was to imply that Oswald was actually under the control of Castro.

This was indeed a favorite media ploy at the time of the December release of 40,000 pages. All three networks and several big papers and magazines hinted darkly that, even though the new documents showed "not the slightest indication of conspiracy" (NBC), there might after all be a slight shadow falling on Castro. This ploy was based on no new evidence but on resurrection of the curious but well-known "Pedro Charles" letters (two letters mailed from Cuba implying that Castro was paying and instructing Oswald to kill Kennedy).

When they came to the FBI's attention late in 1963, these letters were quickly recognized by Hoover as "some type of hoax" since they were postmarked after the assassination and typed on the same typewriter, though purporting to come from different people and places in Cuba. The media revivals of this non-story all mentioned the hoax angle, but only in passing, so that the main result of their bringing up the matter at all was to strengthen the public impression that Castro may have been materially involved in the assassination.

The real importance of these letters lies rather in their power to make immediately self-evident the fact that somebody was trying to frame Oswald and, through him, Castro for the death of JFK. *Who could have been doing this?* In view of subsequent discoveries about the Bay of Pigs connection, about the alliance of crime and the CIA and the Cuban exiles,

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the question is surely a burning one. Yet for all the FBI's vaunted investigative thoroughness, this is one lead Hoover turned his back on from the start without the least hesitation. The letters are hoaxes, he says, period, no more worrying about the hoaxer's identity and game.

Our curiosity about all this only grew greater when we found out from the most recent FBI releases that there were in fact four "Pedro Charles" letters. Until now only two were thought to exist. Behold the following from Hoover's letter of January 17, 1964, to Warren Commission chief counsel J. Lee Rankin:

"The FBI has been furnished four letters written from Cuba indicating or alleging that the assassination of President Kennedy was undertaken by Oswald under the direction of a Cuban agent, one Pedro Charles, who reportedly gave Oswald \$7,000 for this mission."

Hoover then summarizes the contents of these four letters. The first, as noted, is from Pedro himself. "The other three letters," writes Hoover, "purport to be from individuals who have knowledge that Charles conspired with Oswald to kill the President. However, examinations by the FBI Laboratory have shown that all of these communications were actually prepared on the same typewriter and that several of the envelopes used came from the same source. It is, therefore, clear that this represents some type of hoax, possibly on the part of some anti-Castro group seeking to discredit the Cuban government."

Now what we want to know from our friends in the mass media is why they cannot see this Pedro Charles thing at least as clearly as Hoover saw it. Why do the presumably independent-minded mass media reporters encourage the false and dangerous impression that the least fragment of hard evidence exists to attach Oswald to a Castroite assassination conspiracy?

And why are they so busy telling us there is nothing new in these files that they miss the quite significant fact of the additional letters? Two letters might have been the work of an idle mind. But four, all connected, make a lot more sense, just as Hoover said, as "some anti-Castro group seeking to discredit the Cuban government." The media never even make it to that level of analysis, basic as it is.

The January FBI release gave us a fascinating variation on the above method of casting shadows. Once again a significant event was clouded over by a false analysis, this time in connection with one of the few moments of comedy in the assassination drama, the famous scene in which a frantic Marina is said to have held Oswald a prisoner in the bathroom to keep him from going out to kill Nixon.

The story of this fateful bathroom struggle is currently being coupled with the older story that Oswald once tried to assassinate General Walker, the famous Dallas rightwinger. The purpose of these stories is to prove that Oswald was a homicidal person. In the Walker case, the police were unable to match the 30.06-cal. bullet dug from Walker's wall with Oswald's 6.5-mm rifle. In the bathroom case the same: they were unable to match Marina's testimony to the realities. First she said she locked Oswald in the bathroom, but investigation showed the door could be locked only from inside. So Marina changed her story and said she planted her feet on either side of the knob and pulled with all her might to keep the door shut, complaining to Oswald on the other side that she might be endangering her pregnancy. Then it turned out that Nixon was not in Dallas that day after all. So she changed her story again, now saying it was Vice President Johnson whom Oswald was raging to assassinate.

Warren Commission lawyers recognized Marina's constant prevarication as a problem, but found it necessary in any case to base certain key parts of their case against Oswald on Marina's word (e.g., the question of Oswald's possession of the alleged murder weapon). But how solid is argument based

on such a witness's word alone? That is the real story here—not the homicidal character of the imagined lone assassin, but the incredibility of Marina as a witness and the uselessness of her uncorroborated testimony.

We ask ourselves what price the glory of this continuing media support for the cover-up. Why should the Carl Sterns and Daniel Schorr, the George Lardners and the Jeremiah O'Learys, the Ford Rowans and the Jack Andersons, not be proud enough to lend their might to the hammering out of the truth of this case?

Few of us are willing—so far—to conclude that the American media are being actively manipulated. Surely they are still in substance independent and in essentials free! But always we are driven back to the question of why the media still try to infuse new credence into the Pedro Charles hoax, of why they still rehearse the bathroom scene as though Marina were a credible witness, and over all of why they still hide from such strong and numerous signs that something about the Dallas events remains to be uncovered.

—C.O.

## The CIA/Media Hearings

Carl Bernstein wrote in the October 20, 1977, issue of *Rolling Stone* that 400 news reporters have worked with the CIA. The *New York Times* followed suit with a three-day front-page series on the subject. The *Times* expose coincided with the start of hearings on the CIA and the media conducted by the Oversight Subcommittee of the House Intelligence Committee chaired by Les Aspin (D-Wisc.). The hearings began during the week between Christmas and New Years, while most of Congress took a breather, and lasted until mid-January.

Numerous witnesses were called, including CIA officials and ex-agents-turned-critics. The hearings focused almost exclusively on "overseas" media operations, but CIA representatives acknowledged the unfortunate phenomenon of "domestic fallout" in which news stories planted by the CIA in foreign capitals are picked up by American media outlets and then printed at home as hard news.

The fallout problem is underlined by the CIA's inability to explain why such stories are printed in English-language editions in the first place, such as the *Rome Daily American* and the *Bangkok Post*, when most people in a foreign country read newspapers printed in their own language. Perhaps, after all, Americans are the targets in such instances.

Ray S. Cline (former CIA Deputy Director for Intelligence who left the Agency in 1969 to become Director of State Department Intelligence) described the American news media as "the only unfettered espionage agencies in this country." In addition to gathering information and circulating propaganda, the CIA has utilized its media contacts to provide cover for its agents. Former CIA Director William Colby, however, denied in his testimony before the House Intelligence Committee that the CIA operated covertly in the United States to manipulate the press.

Those who have studied the political assassinations of the sixties will not be surprised at the disclosures regarding the CIA's relationship with the media. The CIA made extensive use of its media contacts in attempting to discredit critics of the Warren Report. While the CIA warned its overseas stations not to initiate discussion of the JFK assassination, instructions

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were given on how to respond when critical views were presented in the foreign press. CIA officers were to "employ propaganda assets to answer and refute the attacks of critics." Book reviews and articles were mentioned in one CIA cable as "particularly appropriate." Talk of conspiracy was to be explained as "deliberately generated by Communist propagandists." Most of all, the CIA sought to defend itself against allegations that Oswald at one time had Agency ties.

Are we to believe that the CIA dutifully refrained from employing its lucrative "propaganda assets" in the United States? (The list is quite impressive: William Paley of CBS, Henry Luce of Time-Life, Arthur Sulzberger of the *New York Times* . . . ) How, for example, does one explain the peculiar inconsistency between the original version of the book review of Garrison's *A Heritage of Stone* which appeared in the *New York Times* on December 1, 1970, and the emasculated version that was carried in most editions, which completely reversed the message of the article?

The CIA was involved in manipulating public opinion through the American media around the issue of the Kennedy assassination. Former NBC producer Rafael Abramowitz told reporter Barbara Moskal of at least one instance in which William Colby intervened in an effort to steer CBS producer Les Mldgley in a certain direction on a documentary in progress on the JFK assassination. Colby wanted CBS to adopt a "Castro-did-it-on-behalf-of-the-Russians" line, although no evidence was available to support this theory.

While the recent disclosures regarding the CIA's cozy relationship with the media are long in coming, they are far from complete. We can hardly expect the *New York Times* or CBS to snitch on themselves, although the special Christmas series published by the *Times* does contain important information.

The response on the part of both the press and the Congress to the CIA/media "problem" smacks of what intelligence analysts have called "modified limited hangout," i.e., conceding a little so as not to blow the whole thing. As usual, with regard to intelligence matters, Congress is predictably weak. Witnesses are quizzed about "domestic fallout," but we never hear about domestic operations.

CIA spokesmen, while admitting that mistakes have been made in the past, give implicit sanction to the CIA's use of the media by telling us unconvincingly that the relationship between the Agency and the press must be "clarified." Once again it is clear that the American people cannot depend on the intelligence agencies, the Congress or the media establishment for a full exposure of the facts.

—M.L.

#### Recommended Articles

1. "The Secret Life of Jack Ruby," by William Scott Malone, *New Times*, 1/23/78. An important article focusing on Ruby's links with organized crime figures involved in the CIA-Syndicate plots against Castro.
2. "The CIA and the Banks," by Tad Szulc, *Inquiry*, 11/21/77; probes the CIA's vast worldwide financial network.
3. "The CIA's Electric Kool-Aid Acid Test," by Tad Szulc, *Psychology Today*, 11/77; an account of the CIA's LSD experiments based on recently declassified mind-control documents.
4. On December 25, 26, and 27, 1977, the *New York Times* ran a special series on the CIA and the media. While a good deal of information is presented in this series, the scope of the *Times*' probe is limited to "overseas" operations.

## 1984: Just a Dose Away?

On December 9, 1977, two days after the FBI released its first 40,000-page installment of JFK assassination documents, the *Washington Star* ran an editorial praising the FBI's "exemplary" investigative efforts and reaffirming the lone-assassin cover story. The *Star* chose to ignore the findings of the 1976 Schweiker-Hart Report, which officially confirmed what critics had maintained all along: that both the FBI and the CIA distorted and withheld information from the Warren Commission in an effort to conceal the truth about the Dallas assassination from the American people.

The *Star* also took occasion to launch an attack on the House Select Committee on Assassinations and the Warren critics in general. With regard to the money allocated for the Congressional inquiry, the *Star* concluded: "Our own view, to repeat it here, is that Congress could more usefully spend such a sum developing a pill to neutralize the peculiar body chemistry of compulsive conspiracy theorists. Their main symptom is an inability—or unwillingness—to grasp the frustrating truth that in many historic episodes, prosaic or sensational, the role of muddle, confusion, freakishness can never be discounted."

As though anyone following the *Star*'s own muddled, confused and freakish efforts to report the JFK case could have thought the contrary. Indeed, there was *muddle* at Dallas in the planting of the ballistics evidence against the patsy, there was *confusion* in the suppressing of the medical evidence, there was *freakishness* in the White House's secret campaign to control and manipulate the investigation. The "conspiracy theorist" actually depends on this, or rather, on the truth which it embodies, namely, that in the end, in the real world where the best laid plans of mice and men gang aft aghay, the conspiracy will lose.

It is sometimes amusing to behold the no-conspiracy bluff hiding behind coincidence theories of history, and the AIB is normally tolerant of our adversaries' bluster, but this business about "a pill to neutralize" the Warren critics strikes us as a bit heavy.

As our regular readers know, AIB people have been involved in a (for us) major research project into the whole dark continent of mind-control and behavior-mod practices of this country's secret intelligence elites. We have been repeatedly staggered at the scope and diversity of activity in this area. Everybody is in on the mind-control act, the behavior-mod thing is a stampede, the political use of psychoactive agents, to all appearances, has long since become a routine thing. The Army's G-2, the Navy's ONI, the Air Force's OSI, the CIA and the OSS before it, the FBI, the Department of HEW and the Treasury Department—all are known to have been engaged in serious, long-term R&D work on the use of drugs of all kinds as well as all other means of modifying behavior and controlling thought.

So when the *Star* starts chortling in its beer about "pills to neutralize" our "peculiar body chemistry," frankly we get a little chill. The *Star* knows as well as we do that such "pills" are in no way mere fantasies. So is the *Star* really inviting somebody, in the words of mobster Carlos Marcello, "to take this stone out of my shoe"? And to do it with "a pill"?

Well, if it must fall to somebody to call for drug warfare against the critics, the *Star* might as well be the one. On the same day it ran this editorial, the *Star* ran two "news analysis" stories covering the FBI release. Conspicuously absent from both stories was the least mention of the documents showing the great favors performed for the FBI by the *Star*'s ace reporter Jeremiah O'Leary during the weekend of Kennedy's

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## 6. Clandestine America

### Assassination Update

#### The Secret Service "Releases" JFK Documents

The FBI is not the only agency to release its file on the JFK assassination. Recently, in response to a Freedom of Information request from UPI, the Secret Service declassified about 800 pages from its investigation. AIB has obtained a set of these documents, which turn out to be virtually identical to files released by the Secret Service over two years ago.

The initial UPI news story on the Secret Service release stated that the files concentrated on possible Cuban, Soviet, and Chinese involvement in the assassination, no evidence for which was ever found. The UPI account omitted any mention of the numerous documents dealing with Secret Service investigations of anti-Castro exiles in Florida prior to JFK's visit to Miami in November, 1963, as well as similar investigations in Chicago during the same month.

Very few of the documents contain new information relevant to the assassination. One document, however, discloses the names of a number of Treasury Department agents who assisted in the search of the Texas School Book Depository after the assassination. Another important revelation concerns the existence of a previously unknown set of photographs taken of the presidential limousine during the shooting. But the most significant aspect of the Secret Service release is that a number of highly relevant documents are still being withheld.

#### Judge Sirica Rules on Withheld CIA Documents

In December 1977, Judge John Sirica ruled that the CIA must make available its withheld files on the JFK assassination for the judge's *in camera* inspection. Sirica will then decide whether these documents are improperly classified. Many of these files deal with the trip to Mexico City allegedly taken by Lee Harvey Oswald less than two months before the assassination.

Sirica's ruling comes as part of a suit brought by Washington attorney Bernard Fensterwald, whose original Freedom of Information request resulted in the release of hundreds of pages of the CIA's JFK file. Fensterwald thinks the documents still being withheld might tell us conclusively whether Oswald actually went to Mexico City. They may also reveal why the CIA's clandestine cameras outside the Soviet and Cuban embassies in Mexico City photographed a man who was obviously not Oswald but whom the CIA had apparently identified, before the assassination, as a "Lee Henry Oswald". As we go to press, the CIA is reaching a final decision on whether to appeal the decision by Judge Sirica.

#### New Developments in the Malcolm X Case

On December 7, 1977, Thomas Hagan, a confessed assassin of black leader Malcolm X, filed an affidavit in New York State Supreme Court asserting the innocence of the two men convicted with him in their 1966 murder trial.

Hagan was one of at least five men participating in the shooting that took place in the Audubon Ballroom on February 21, 1965. He insisted during the trial that Norman 3X Butler and Thomas 15X Johnson were not his co-conspirators, but all three were nonetheless convicted and sentenced to life imprisonment. Hagan, however, has now named his actual accomplices, something he had previously refused to do. The names given were Brother Lee, Brother Ben, Willie X, and

Willbour, none of whom were further identified.

Hagan also stated that the plot to kill Malcolm was hatched within the Black Muslim movement from which Malcolm had split in 1964. At that time, the Black Muslims and Malcolm's Organization of Afro-American Unity were both targeted for surveillance by intelligence agencies and infiltrated by government agents. Gene Roberts, one of Malcolm's most trusted aides, was an agent for the Bureau of Special Services (BOSS) of the New York City Police Department. Roberts administered mouth-to-mouth resuscitation to the dying black leader after he was shot. Whether the police played any role in setting up Malcolm or instigating the conspiracy against him is yet to be seen.

Norman 3X Butler and Thomas 15X Johnson have thus far spent twelve years in prison for this crime they did not commit.

#### Links Between JFK Documents and the Rosenberg Case

With the June 1976 release of FBI documents relating to the Rosenberg "atom spy" case, it became obvious that Judge Irving Kaufman, who had presided over the trial, was not the impartial jurist he pretended to be. The 30,000-page first installment of the FBI documents revealed, according to Harvard law professor Vern Countryman, out of court contacts between Kaufman, the prosecutors, and the FBI; continuing interference in the case after it left Kaufman's jurisdiction; and attempts to stifle criticism of the case. These documents have since become known as the "Kaufman Papers." The recent release of a second batch of FBI documents relating to the Rosenberg case further shows the continuing saga of Judge Kaufman's (now Chief Judge of the Second Circuit Court of Appeals) improprieties.

Apparently, Judge Kaufman's relationship with the FBI extended beyond the Rosenberg case and into the John Kennedy assassination investigation, according to an FBI memo from Cartha DeLoach to John Mohr. The document was dated November 25, 1963, four days before the Warren Commission was appointed. At that time there were rumblings in both houses of Congress about starting an investigation into the assassination. The FBI disapproved of such action, feeling that it alone should do the investigating.

The document refers to a discussion Judge Kaufman had with Assistant Director Malone in New York. It says: "Judge Kaufman, referred to Senator Dodd and said he understands that the Senator feels there is 'more than meets the eye' in the matter of Jack Ruby killing Oswald."

"The Judge said he understood that Dodd intends to have someone look into the whole matter. Judge Kaufman also said he understood that the President had sent for Dodd or Dodd was to see the President soon concerning this matter."

The memo concludes by noting, "... Judge Kaufman wanted the FBI to know of the above for whatever significance it might have."

For more information about the Rosenberg case and Judge Kaufman, contact the National Committee to Reopen the Rosenberg Case, Rm. 606, 250 W. 57th St., New York, N.Y. 10019.



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up" meeting. "The Director commended Carr for his activity in youth movements and spoke briefly concerning juvenile criminality and the fact that parents should be held responsible for the crimes of their offsprings," according to a December 6 DeLoach memo. "The Director gave as an example of a bad environment the case of Lee Harvey Oswald. Carr agreed."

The three-cornered stand-off between Warren Commission, the FBI and the Secret Service over the autopsy photos and X-rays is illuminated to some extent by the recently released documents.

A November 26th memo from General Investigative Division chief Alex Rosen to Hoover's no. 3 man Alan Belmont provides the earliest reference to the photos and X-rays taken at Bethesda the night of November 22nd. "The Secret Service has advised our Baltimore office that the photographs of the autopsy and X-rays of the President's body would be available to us through Secret Service Headquarters, Washington, D.C." Under the heading "Action Recommended," Rosen then wrote, "It is not recommended that we request these photographs and X-rays through the Secret Service Headquarters at this time as it does not appear we shall have a need for this material. In the event such a need develops in the future, this material will be readily available at Secret Service Headquarters."

Later, when Warren Commission counsel Rankin began to inquire about the autopsy report from Bethesda, which was then still unavailable, he was told by the FBI that "the family of the President had requested the report from the U.S. Naval Hospital at Bethesda be kept as confidential as possible and for this reason the Bureau did not obtain the medical report for inclusion in the investigative report prepared by the Bureau. He was also told that this report was in the possession of the Secret Service. Rankin stated that it would not be necessary to do anything on this and that in the event Secret Service did not supply the medical report with material to be furnished by Secret Service, the Commission would request the medical report from Secret Service." It does not appear that the request Rankin speaks of was ever made, if, as seems likely, the phrase "material to be furnished by Secret Service" refers to the photos and X-rays. A week later, Rankin, still without the autopsy report itself (let alone the photos and X-rays), was still seeking information which could refute the published story that doctors in Dallas who examined President Kennedy had described the throat wound as a wound of entry. Hoover then approves the obtaining of a copy of the "autopsy report" (the photos and X-rays are now not even referred to) by the Bureau and the Commission, but the Director expresses his misgivings in a handwritten comment: "If the Warren Commission is going to re-run down every wild newspaper story it will never finish."

Some of the most interesting press accounts of the newly released documents have come under the by-line of Jerry O'Leary of the *Washington Star*. One such article is based on a November 27, 1963 memo written by FBI official C.L. McGowan, which concerns the FBI's overall investigation in the case of Ruby's shooting Oswald. The memo was based on an early headquarters review of the Dallas Ruby investigation, and gives a list of 25 points to be followed, including interrogation of Dallas Police Chief Jesse Curry, Captain Will Fritz (who had not yet been interviewed), and many other police officials. After pointing out that the case was considered a "possible civil rights violation" against Oswald, McGowan continued, "one of the prime considerations is whether Oswald was set up by the Police Department bearing in mind that Oswald would be regarded by the police as a 'cop killer'. The investigation cannot be conducted on the assumption that Oswald's death was just the result of a breakdown in security procedures."

The obvious significance of this memo was captured in the headline of the O'Leary story: "FBI Probed Dallas Police in Oswald Slaying." What is being suggested by at least one FBI official here is that the theory that organized crime figures ordered Ruby to silence Oswald (a theory which is now more fashionable than ever) is essentially incorrect. Rather, according to this view originating from within the FBI, because Oswald had (supposedly) killed Officer Tippit, the slain cop's comrades avenged his death by enlisting Ruby (a local fixer with hundreds of contacts in the police department) as a fixer. The theory unfortunately does not explain what motivated Ruby to take the assignment. Perhaps more importantly, the memo ignores the possibility of an alternative motive for the police to hire Ruby for the job: suppose they had knowledge that some of their own men were involved in the assassination and that Oswald knew that.

The FBI files do not contain any evidence to substantiate this theory. The Bureau did, however, seem to take McGowan's views on the Ruby case seriously. Orders from Hoover to Dallas on November 30th, for example, request "any indication that any person conspired with Ruby or that any police officer or other person having color of law conspired with Ruby or willfully permitted the shooting . . .". But the connections between Ruby and the Dallas police remain largely unexplored. One teletype, dated November 30th, begins "Re possible association between Jesse Curry, Chief of Police, Dallas, Texas, and Ruby." The remainder of the two-page document has been withheld.

Much can be learned from Hoover's handwritten comments on the memos written by his aides, the newspaper articles they clipped, the laboratory reports they commissioned, and the teletypes that went back and forth between headquarters and the various field offices. Frequently, these comments express criticisms by the Director of the way in which the investigation was being handled, in a way which sometimes suggests an attempt to get himself on record as advocating a more complete disclosure of information to the Warren Commission, but which consistently reflects a concern over the potential embarrassment of the Bureau.

In September 1964, when the Warren Report was released, Hoover's top aides reviewed it and wrote their comments. Alan Belmont noted that "in discussing the shooting of Dallas police officer J.D. Tippit, the Commission states that certain witnesses to this shooting were interviewed by the FBI 'two months after the shooting'. It is noted the shooting of the Dallas police officer by Oswald was completely a local matter within the jurisdiction of the Dallas Police Department and the Bureau did not attempt to conduct any investigation concerning this shooting." At this point Hoover writes: "Another instance of our unduly restrictive policy"—a phrase which he repeats verbatim when commenting on the FBI Laboratory's tentative identification of the assassination rifle as the "probable" weapon which had fired the bullet recovered from Gen. Edwin Walker's wall in April, 1963. In another part of the same memo, Belmont returns to the Tippit shooting, writing that, while FBI experts couldn't definitely link any of the bullets recovered from Tippit to Oswald's revolver, an outside firearms expert hired by the Warren Commission had managed to do so at least in the case of one of the four bullets. Beneath this Hoover scribbles, "Another 'dodge' by us."

Sometimes Hoover's judiciousness is astounding, as in the case of his response to a request from the Warren Commission in February 1964 to furnish a recording of every public appearance of Mark Lane and Marguerite Oswald. In a February 26th Intelligence Division memo, the Commission request is described as "extremely broad and if literally interpreted could pose a serious investigative burden on us

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murder. What happened makes a nice story, meaningful at several levels.

On the morning after the assassination, Dallas Police Chief Jesse Curry told newsmen that the FBI had interviewed Oswald before the assassination and had kept him under surveillance but had not notified the Dallas police.

The FBI was peeved at Curry's "stupid" remarks. According to an FBI memo of November 23, 1963, fired off from Deke DeLoach to John Mohr, Curry was "usually very cooperative, a very good friend of the FBI," but in this instance "did not think very fast and obviously made the above statements without giving thought to the repercussions." (Note that this does not deny the charge.)

The FBI moved at once to have Curry retract his statement. It called in one of its trusted "sources," the *Star's* O'Leary, to "straighten out this matter." After interviewing Curry, O'Leary was "preparing an article" based on Curry's retraction.

There was more *Starshine* in the same issue. As if written to a set of instructions—or is it only mind ruts?—each article ended with a reference to the Lincoln assassination, the point being that more than one hundred years later, people are still claiming conspiracy in the death of Lincoln, and undoubtedly one hundred years from now (assuming differences of opinion are still tolerated) there will be those harping about the JFK murder.

What is the *Star* trying to tell us here? On the one hand, the *Star* tries to remain faithful to the lone-assassin ideology, while also peppering its analysis with hints that if, by chance, there was a conspiracy, then Castro should be fingered. To top it off, they drag Lincoln into this thing. Thus, the *Star* leaves us with three possible alternatives to choose from: (1) Oswald still pulled it off by himself, (2) but, just in case he didn't, Castro was somehow involved, (3) so let's forget the entire sordid affair, since we'll never know anyway, just like we'll never know about Honest Abe.

Herein lies the essential paranoia of the no-conspiracy buffs. Rather than confront the ambiguity in their own analysis, the *Star* lashes out and threatens those who prefer not to avoid the obvious—that there was a conspiracy in Dallas, and the government of the United States greatly fears a full exposure of the facts.

Analysing the evidence, according to the *Star*, is a fruitless, wasteful pursuit. The contradictions do not derive from the evidence, per se; rather, the physiology of the body politic is the root of the problem. Political dissent is relegated to a

nervous disease, to "symptoms." And if some people (80% of us, according to most recent polls) still cannot rid themselves of the conspiracy demon, then they should be drugged into seeing it the way the no-conspiracy buffs want. Well done, *Washington Star*.

—M.L. & C.O.

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One of the most significant aspects of the FBI cover-up is the persistent concealment of Ruby's relationship to the FBI. It is now known that in 1959 (during a period when he made several trips to Cuba) Ruby was a "Potential Criminal Informant" of the Dallas FBI Office. He was contacted regarding routine investigations because of his position as a club owner. According to a recent story in *New Times* magazine, however, Ruby had a safe deposit box in Dallas in which he may have kept surreptitious tape recording equipment during this period. He opened the box just before each of his contacts with his FBI control agent. After the assassination the box was found empty. The last time it was opened—by an unknown person—was more than a year earlier.

Hoover recognized that in their communications with the Warren Commission, his aides were not being entirely forthcoming on the question of the Bureau's files on Jack Ruby. Rankin wanted to have the FBI headquarters files on Ruby, and Hoover notes, "here again why didn't we give commission all in first instance? I am becoming more and more concerned about our failure to properly handle this matter."

Responses to the Warren Commission came in the form of denials that any information in the FBI's "Dallas files" was still being withheld from the Commission, and there were comments in internal memos that there existed no *single* file on Jack Ruby. Commission counsel Rankin wrote back on March 3, 1964 requesting "copies of *all* copies of records of interviews of other persons, at *all* places including Dallas, at any time, wherein Ruby is mentioned. These requests of course do not include any material obtained after November 23, 1963." (our emphasis) On his copy of this letter, Hoover scrawled, "I can't understand why we give narrow interpretations to Commission's requests." Clearly, Hoover recognized that the Commission wished to have all material concerning Jack Ruby in the possession of the FBI in Dallas, Washington, or elsewhere. But the FBI never yielded any more information about their relationship to Ruby to the Commission.

—J.K.

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